OFFICE OF THE CLERK

UNITED STATES COURT OF APPEALS

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February 2, 2004

Mrs. Mary D'Andrea U.S. District Court for the Middle District of Pennsylvania Middle District of Pennsylvania 228 Walnut Street Room 1060 Harrisburg, PA 17108

RE: Docket No. 01-3676 Gordon vs. Gonzalez D.C. No. 01-cv-00331

Dear Mrs. D'Andrea:

Enclosed is a certified copy of the judgment together with copy of the opinion in the above-entitled case(s). The certified judgment is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

(X) We return herewith the certified record in the case(s).

Kindly acknowledge receipt for same on the enclosed copy of this letter.

Counsel are advised of the issuance of the mandate by copy of this letter. A copy of the certified judgment is also enclosed showing costs taxed, if any.

Very truly yours, MARCIA M. WALDRON Clerk

Caroly Hicks flux

By:

Carolyn Hicks Case Manager

Enclosure

cc:

Mark L. Tamburri, Esq. Anne K. Fiorenza, Esq. G. Michael Thiel, Esq.